

STILLWATER COUNTY COMMISSIONERS MINUTES

Notice: These minutes reflect the proceedings of the Board of County Commissioners. The official minutes are on file with the Clerk and Recorder (MCA 7-4-2611(2)(b)).

REGULAR MEETING APRIL 26, 2016

- Present:** Commissioners Dennis Shupak, Chair; Maureen Davey and Gerald W. Dell, Members; Lori Dobitz, Administrative Assistant. Others Present: Mark Schreiner, Road Superintendent; Jerry Friend, Treasurer; Monica Plecker, CTA/Planning; Kara Truesdell, Garry Hellyer, Scott Aspenlieder, Jill Exner, Jen France, Forrest Mandeville, Rober Downing, Joyce Kelley, Mark Cargo, and Rick Hanners, Stillwater County News.
- Open Meeting:** Commissioner Shupak opened the meeting at 9:00 am with the pledge to the flag.
- Minutes Approval:** Commissioner Davey **MOVED** to approve the minutes of March 1, 2016 Commissioner Dell **SECONDED**. Motion passed unanimously.
- Recognition:** Commissioner Davey said she recruited Mary Lou Hoover, a retired Registered Nurse, to serve on the County Health Board. She was a very qualified and faithful member for the past 12-years as volunteers are difficult to find, Davey said.
- Special Issues:** Stillwater River Road Rockslide: Commissioner Dell said there is nothing to report at this time.
- Regular Business:**
1. Planning:
 - A. Horseshoe Hills Minor Subdivision - Monica Plecker presented the preliminary plat application and materials for the Horseshoe Hills Minor Subdivision and a variance request. The proposed five (5) lot subdivision is located on Upper Flat Road approximately 2.2 miles southeast of Columbus. The subdivision was submitted that included a proposed variance to pay a fee in lieu of constructing a dry hydrant which is required by the county Subdivision regulations Section IV(Q)(3)(b)). The Planning Board has recommended preliminary plat approval with conditions, and also recommended denial of the variance request. Ms. Plecker pointed out the criteria for when it is appropriate to grant variances as spelled out in the subdivision regulations. The Columbus Fire Department estimated an approximate response of 7-10 minutes, and stated the proposed subdivision is classified as a high fire hazard area. Plecker said the applicants/owners stated on their application that the proposed subdivision is located within

close proximity to the Yellowstone River and the City of Columbus and the cost of installing a dry hydrant is not economically feasible. She said it has been determined that the subdivision regulation criteria, in order to approve variance, has not been met.

Variance Request Action: Commissioner Dell **MOVED** to take the recommendation of the Planning Board and Planning Staff and **DENY** to variance request. Commissioner Davey **SECONDED**. **Discussion:** Commissioner Davey said when these dry hydrant regulations were adopted several years ago, the fire departments were very passionate about these dry hydrants. She stated at the present time, these are the rules we have, and she feels we have to stick with them. Commissioner Dell said he agrees with Commissioner Davey. **Vote:** Commissioner Shupak called for a vote. Motion passed unanimously. Plecker proceeded in reviewing the proposed subdivision findings and conditions of approval as recommended by the Planning Board and Planning Staff. Commissioner Davey **MOVED** to approve the Horseshoe Hills Minor Subdivision with the conditions recommended by the Planning Board and Staff. Commissioner Dell **SECONDED**. Motion passed unanimously.

B. Lot 2A -Amended - Trewin School Subdivision - Tom Kelly on behalf of John and Ann Fox, has submitted a preliminary plat application and materials for an amended plat of Trewin Subdivision. Monica Plecker, presented the proposed subdivision that is located east of Park City along Trewin School Rd. She proceeded in reviewing the proposed subdivision findings and conditions of approval as recommended by the Planning Board and Planning Staff. Ms. Plecker said there were comments posed by the public regarding Big Sky Way road. Discussion followed regarding the road as to whether or not it is a private road or an access road (easement) when the interstate was constructed years ago. Commissioner Davey **MOVED** to conditionally approve Trewin School Subdivision (Lot 2A Amended Plat No. 275043) as recommended by the Planning Board, striking Condition No. 1 as it has been met by certification by a professional engineer for HS-20 standards and add a condition stating Big Sky Way is confirmed as an appropriate road access prior to final plat and if not, appropriate easements or access permissions need to be in place before final plat is approved. Commissioner Dell **SECONDED**. Motion passed unanimously.

C. Building for Lease or Rent (BLR) - Engineering West, on behalf of Robert Downing for proposed development (storage units) located at #3 1st Street SE in Park City. Monica Plecker stated this is likely the first Building for Lease or Rent (BLR) Application in review. The Planning Board during their regular scheduled April meeting evaluated the application and has made a recommendation conditional approval for this development. Discussion included an irrigation ditch adjacent to the property a proposed culvert, and right-of-way. Plecker went through each of the eight conditions recommended by the Planning Board.

Motion: Commissioner Davey **MOVED** to conditionally approve the BLR as recommended by the Planning Board, striking Condition Number 8. Commissioner Dell **SECONDED**. Motion passed unanimously.

2. Compensation Board - Appointment of two Elected Officials - Commissioner Davey **MOVED** to appoint Heidi L. Stadel, Clerk & Recorder, and Sandra Fox, Clerk of District Court, to the Compensation Board. Commissioner Dell **SECONDED**. Motion passed unanimously.

3. Absarokee RSID Sewer 5&7 - Commissioner Dell explained the Absarokee Sewer District has been operating under a DEQ Administrative Order of Correction (AOC) for the past two-years. He said two public hearings were held in Absarokee on this subject. He said at the last hearing held on March 9, 2016, Great West Engineering presented their findings in a preliminary engineering report. A lot of discussion and questions and answers took place during the public hearing, he said. Following the hearing, it came before the commissioners as to what action would be taken. The commission voted for the SAGR method of treatment. He said at the completion of the county's PER, DEQ made several phone calls to Great West Engineering and Stillwater County to discuss Absarokee's MPDES Permit. On March 23, 2016, DEQ contacted Great West Engineering and requested a meeting in Helena to be held on March 30, 2016. Cathy McClurg, Absarokee RSID Operator; and Commissioner Dell attended that meeting in the DEQ Office in Helena. Also present at the meeting was Craig Pozega and Dave Aune, Great West Engineering, and DEQ Representatives: Christian Schmidt, Kari Smith, and Paul Lavey. In the meeting, clarification was reached, he said. Commissioner Dell read a copy of the letter the county will be submitting to DEQ for an amendment to the Corrective Action Requirements; and Wastewater MPDES Permit & AOC. The County is requesting scheduling amendment to the AOC, which is in line with that of applicable funding agencies next funding cycle (i.e. TSEP, DNRC) and will allow the County to complete an update of the PER and apply for funding to help with the costs of any necessary infrastructure improvements. If DEQ grants the county's request, Dell said it will push this out another 2-3 years.

Motion - Commissioner Dell **MOVED** to submit the letter, with typographical corrections, to Montana Department of Environmental Quality. Commissioner Davey **SECONDED**. Motion passed unanimously.

- Consent Agenda:**
1. West Rosebud Creek Road Reconstruction Project - Flying 11 Ranch, LLC., Right-of-Way Agreement compensation and Easement.
 2. Road & Bridge Department - Purchase Requests
 - a. 2005 Ford F-550 Dually \$12,500
 - b. Rotary lift with accessory \$30,368
 - c. Screw Compressor \$13,000

3. Solid Waste - Purchase Request
 - a. 10 x 12 Transfer Station Site Building for Columbus site; contract \$12,750 approval

File Items: 1. Local 3877 AFSCME Arbitration Board - third member selected (Tonya House) to serve as Chair of the Board.

Commissioner Davey **MOVED** to approve the Consent Agenda and place the file items to file. Commissioner Dell **SECONDED**.
Motion passed unanimously.

Public Comments: none heard.

Meeting Adjourned: Hearing no further comments, Commissioner Shupak adjourned the meeting at 10:26 A.M.

Claims and
Warrants:

Claims were examined and warrants ordered drawn in the amount of \$ 390,679.85 and payroll in the amount of \$372,526.29 for a total of \$763,206.14 for the month ending April 2016.

/s/

APPROVED BY: Dennis Shupak, Commissioner Chairman

ATTEST: Heidi L. Stadel, Clerk and Recorder